

REMARKS

Below, the applicant's comments are preceded by related remarks of the examiner set forth in small bold font.

**4. Claims 10-11 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Regarding claim 10, it is unclear why "the bindings for the two documents are the same but at least one of the content elements and layout elements associated with the binding sites is different for the document and the different document." If the bindings of the two documents are the same, then the content elements and the layout elements should be the same since each element has an unique name as mentioned in claim 7. Please explain and give an example.

An example is given in the specification as follows:

"A single binding specification can be used to create more than one different document by simply changing one or more of the content or layout elements that are associated with the binding sites named in the specification. In that sense, the binding specification defines a logical document rather than an actual document with the actual content and layout determined by the underlying material that is referred to by the binding site names. Furthermore, different documents can be created from a given binding specification by substituting different entire portfolios of layout and content provided that the content and layout elements that they contain have the binding site names referred to in the binding specification" (page 11 line 27 - page 12 line 9).

Regarding claim 11, the claim is rejected under the opposite issue as mentioned in claim 10. It is unclear why "the bindings for the two documents are different but at least some of the content elements and layout elements associated with the binding sites are the same for the document and the different document." If the bindings of the two documents are different, then the content elements and the layout elements should be different since the association of content and layout of the two documents are different. Please explain and give an example.

An example is given in the specification as follows:

"Content and layout elements can be used to generate different documents by creating different binding specifications that refer to those same

elements" (page 12 lines 10-13). Thus, "the same content can be bound in different ways to different layout elements using different bindings to create different documents" (page 12 lines 15-18).

**7. Claims 1-54 are rejected under 35 USC 103(a) as being unpatentable over Ferrel et al. (US Pat No. 6,199,082, 3/6/01, filed 7/1 7/95).**

**Regarding independent claim 1, Ferrel discloses:**

- enabling storage of bindings that describe a document by associating content elements with layout elements (figure 1, #146, #148, #150, #152, #154, #156: the associations of title layout and content; col 8, lines 15-64: "the system keeps track of links between a piece of content and its associated page layout... content objects are viewed after being formatted by a particular linked control. The control knows how to format a particular piece of content by looking at the style that has been defined for that ... ability of each control on a page ...")
- the layout elements defining layout features or placement information to be applied to the associated content elements in the document (col 10, lines 3-29).

**Ferrel does not disclose explicitly that the bindings are stored separately from both content and layout elements.**

**Instead Ferrel discloses that the content and design (equivalent to layout) are stored separately (col 1, lines 8-1 1; col 5, lines 7-41; col 18, lines 15-64).**

**It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferrel to include the feature of storing the bindings separately from both content and layout elements for the following reason. The fact that content and layout elements are stored separately and the controls which are instructions for gathering, formatting and displaying the linked content onto the page suggests that the controls including control information for associating content and layout elements for documents be stored separately from both content and layout elements since the controls, which are linking information of content and layout, include information, independent from the content elements and the layout elements.**

As the examiner recognizes, Ferrel's approach is layout-centric. In Ferrel's system, pages that are to be reused with different pieces of content are created by laying out controls on page layouts. There are links between the controls and the content. The examiner concedes that Ferrel does not disclose storing bindings "separately from both the content and layout elements" as recited in claim 1. But the examiner contends that storing the binding elements separately would have been obvious from Ferrel.

The applicant disagrees. In the layout-centric approach, when the page layouts are copied, moved, processed, or used by the designer, the links are already present in the layouts, enabling a simple approach to producing pages with the originally designed layout and different content. To remove the links and store them separately would be more cumbersome and of no particular value when the goal, as in Ferrel, is a layout-centric system that is only meant to permit changing the content while retaining the designed layout.

An advantage of the applicant's method is that a new layout can be generated by modifying the binding specification, unlike Ferrel's method that requires first creating a new layout page. Thus, it would not have been obvious at all from Ferrel to have provided bindings that are "stored separately from both the content and layout elements" as in claim 1.

**Regarding claim 2...**  
**Independent claim 3 ...**  
**Regarding claim 4...**  
**Regarding claim 5...**  
**Regarding claim 6...**  
**Regarding claim 7...**  
**Regarding claim 8...**  
**Regarding claim 9...**  
**Regarding claim 10...**  
**Regarding claim 11...**

Claims 2-11 are patentable for at least the same reasons as claim 1.

**Regarding independent claim 12, Ferrel discloses:**

- **creating content elements for use in documents (figure 1, #112, #114, #118; col 5, lines 29-41: ("... the author can create the content objects"; col 11, lines 14-20: "returning to the creation of title layouts and content by the publisher...")**
- **storing the content elements in a format native to the application program (col 8, lines 15-20; col. 11, lines 14-20,45-62: "after creation, the title layouts 110, 116 and contents 112, 114, 118 are released and stored in a publication storage 720. The storage 120 can be implemented in many forms, such as a network 122, CD-ROM 124, and other means of storage, such as bulletin boards, magnetic media, cable television and so forth", "the title layouts and/or content are preferably stored in a network 122 that includes a high-performance server for hosting on-line application"; the fact that the contents are stored in the network 122 that includes a high-performance server for hosting on-line application suggests that the format of the contents when storing is native in the on-line application so that the stored contents can be understandable by the application)**

- forming a content portfolio, based on the stored content elements by storing unique binding names associated with respective content elements (figure 4: content folders #292, #296, #298, #304, #308 for storing content elements, title folders #294, #300, #306 for storing layouts; the fact that each project has content folders and title folders that include content and layout for generating different documents suggest that each content element have an unique name for conveniently calling the content elements in associating with the layout elements).

Ferrel also does not explicitly disclose storing information with each of the contents that aids a formatter in generating document based on the content elements and on layout elements stored in a layout portfolio.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferrel to include a formatter for generating document based on the content elements and on layout elements stored in a layout portfolio since Ferrel does teach the controls for generating documents based on the page layouts and the content objects (col. 8, lines 30-64; figure 8: different controls for generating the content and the layout of a page).

The applicant disagrees. In Ferrel's method the "MPS viewer software uses the page layouts in the title to compose the content" (Ferrel, col. 10, lines 27-28). The page layouts used by the viewer "contain placeholders that will be filled in by the content" (Ferrel, col. 10, lines 64-66). Thus, Ferrel does not use individual layout elements to create a document but instead relies on pre-defined page layouts. Therefore, the viewer does not generate documents based on "layout elements stored in a layout portfolio" as recited in the applicant's claim 12.

**Regarding claim 13...**  
**Regarding claim 14...**  
**Regarding claim 15...**  
**Regarding claim 16...**  
**Regarding claim 17...**  
**Regarding claim 18...**

Claims 13-18 are patentable for at least the same reasons as claim 12.

**Claims 19-26 are for a medium for storing a machine-readable program of method claims 1-2, 12-13, 16-18, and are rejected under the same rationale.**

Claims 19 and 20 are patentable for the same reasons as claim 1. Claim 21 is patentable for at least the same reasons as claim 12. Claims 22 to 26 are patentable for at least the same reasons as the claims on which they depend.

**Independent claim 27...**  
**Claims 28-33 ...**  
**Claims 34-39 ...**

Claims 27 and 34 are patentable for at least the same reasons as claim 12. Claims 28 through 33 and 35 through 39 are patentable for at least the same reasons as the claims on which they depend.

**Regarding independent 40,** Ferrel discloses creating a binding specification for use in formatting documents based on the binding specification, the content elements referenced by the binding specification and the layout elements referenced by the binding specification (figure 1: title A, title B, . . . title P include the specific layout and the specific content for formatting different documents for different customers). Ferrel does not explicitly disclose storing in the binding specification global bindings and direct bindings that aid the formatter in formatting documents. Instead Ferrel discloses that the publisher can place the content, such as a set of content objects in one or more containers of a title and then create sections or subsections having pages with special controls, such as a set of title layout objects that dynamically find and display the content at run-time (col 10, lines 31-67). The style sheet object included in the layout has a globally unique identifier GLAD that can be used to identify an object with a unique string of characters where the control for controlling the link between the layout and the content of a document keeps a record of a GUID associated with its linked style sheet (col 23, lines 48-67).

**It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferrel to incorporate the global bindings and the direct bindings into Ferrel for the following reason.** The fact that Ferrel discloses the globally unique identifier for identifying the style sheet object included in the layout elements suggests a global storing of said identifier. Further, the placement of a content into the layout suggests a direct binding in formatting documents since said placement directly indicates how to link a content to a layout.

The applicant disagrees. The fact that Ferrel may have mentioned using a globally unique identifier does not suggest the use of a global binding.

In Ferrel's method "a different style sheet may be linked to each control region on a page" (Ferrel, col. 23, lines 49-50). The style sheet is directly linked to a control region allowing the use of multiple style sheets to create a single document. This arrangement requires the use of direct bindings. Since Ferrel does not use global bindings to store the style sheet, it would not have been obvious to store "in the binding specification global bindings and direct bindings" as in the applicant's claim 40.

**Regarding claim 41...**  
**Regarding claim 42...**  
**Regarding claim 43...**  
**Regarding claim 44...**  
**Claims 45-49...**

Claim 45 is patentable for at least the same reasons as claim 40. Claims 41 through 44 and 46 through 49 are patentable for at least the same reasons as claims 40 and 45.

**Regarding independent claim 50, Ferrel discloses a method of formatting a document based on bindings, content elements, and layout elements, the bindings defining relationships between the content elements and the layout elements, the method comprising processing bindings that comprise placement bindings before processing that comprise style bindings (figure 8 and col 21, lines 43-59: the picture and the story are displayed in the positions determined by the control shows the placement bindings, and each of the control references a style sheet to provide information instructions on how the content is to be displayed shows the style binding).**

Applicant has canceled claim 50 without prejudice or disclaimer.

**Regarding independent claim 51, Ferrel discloses a method of formatting a document using stored content elements and stored layout elements, the stored content elements including content aspects and layout aspect, the method comprising determining whether the layout should be dominated by the layout components or the layout aspects of the content components (col 8, lines 45-29: "the content and the design are stored as separate objects in the public distribution site so that many different pieces of content can be viewed with the same appearance; col 10, lines 37-63: a layout can be used for binding with a content where the content can be updated; col 8, lines 49-64: "one important facet of this invention is the concept of viewing the same content objects in many different ways . . . different controls on the same page can each display the same linked content in varying formats"; col 8, line 65 to col 9, line 7: a content can be displayed by different styles chosen by the designer to change the style; the fact that some of the bindings are layout-centric and some of the bindings are content-centric indicates determining the layout domination or the content domination in formatting a document using stored content elements and stored layout elements).**

The applicant disagrees. In Ferrel's layout-centric method, the placement of layout components is predetermined based on the page layout. Since the location of layout components is predetermined in the layout page, the layout is dominated by the layout components. Thus, the document creation process will not include "determining whether the layout should be dominated by the layout components" as in claim 51.

**Regarding claim 52...**

Claims 52 is patentable for at least the same reasons as claim 51.

**Claims 53 and 54 are a medium of method claims 12 and 45, and are rejected under the same rationale.**

Claims 53 and 54 are patentable for at least the same reasons as claims 12 and 45, respectively.

Applicant : Perry A. Caro et al.  
Serial No. : 09/360,399  
Filed : July 23, 1999  
Page : 16 of 16

Attorney's Docket No.: 07844-303001 / P279

The fact that the applicant has addressed certain comments of the examiner does not mean that the applicant concedes any other positions of the examiner. The fact that the applicant has asserted certain grounds for the patentability of a claim does not mean that there are not other good grounds for patentability of that claim or other claims.